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Attorney for Nonparty Ubisoft Inc.

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

IN RE: VALVE ANTITRUST LITIGATION

Case No. 2:21-cv-00563-JCC

**DECLARATION OF STEPHEN S.  
SMITH IN SUPPORT OF UBISOFT,  
INC.'S JOINDER IN VALVE  
CORPORATION'S MOTION TO SEAL  
PORTIONS OF SUMMARY  
JUDGMENT FILINGS THAT  
CONTAIN UBISOFT, INC.'S  
CONFIDENTIAL INFORMATION AND  
UBISOFT'S MOTION TO MAINTAIN  
SUCH INFORMATION UNDER SEAL**

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**DECLARATION OF STEPHEN S. SMITH**

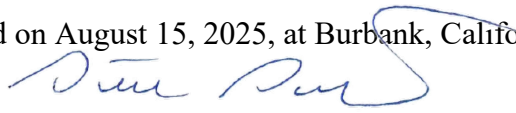
I, Stephen S. Smith, declare as follows:

1. I am an attorney duly licensed to practice in the State of California and am a partner with Law Offices of Stephen S. Smith, P.C., counsel for Ubisoft, Inc. (“Ubisoft”). The facts stated herein are known to me personally and, if called as a witness, I could and would testify competently thereto under oath.

2. Ubisoft produced documents in response to subpoenas served upon it by Valve Corporation (“Valve”) and Wolfire Games, LLC (“Plaintiff”) in this action. Ubisoft designated such documents as Highly Confidential – Attorneys’ Eyes Only under the Protective Order (Dkt. 95). No party has challenged Ubisoft’s designations.

3. On July 30, August 6 and August 7, 2025, I met and conferred with counsel for Valve concerning the subject matter of the instant Joinder and Motion. On August 6 and August 7, 2025, I met and conferred with Plaintiffs’ counsel concerning the subject matter of the instant Joinder and Motion. There are 12 references to Ubisoft-designated material that are part of Valve’s motion to seal. They are identified in Ubisoft’s Joinder and Motion and in the Declaration of Olivier Ernst filed in support of that Joinder and Motion. Valve’s counsel, Jessica Rizzo, Plaintiff’s counsel, Timothy B. McGranor, and I agreed (or, in Mr. McGranor’s case, agreed not to take any position) with respect to 9 of those 12 references, i.e., they could be maintained under seal exactly as Valve originally filed such materials under seal. With respect to 3 of the 12 references, Mr. McGranor requested that Valve and Ubisoft agree to redact slightly less material than what Valve had originally redacted. Valve’s counsel and I agreed to Mr. McGranor’s request. So, in the end, all parties that have any interest in the Ubisoft-designated material have no disagreement about such materials remaining under seal as Valve presents it now, in its current motion to seal.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 15, 2025, at Burbank, California.



Stephen S. Smith